

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|  |   |                                    |
|--|---|------------------------------------|
| SHIRA MCKINLAY, on behalf of herself and<br>all others similarly situated, | : | Civil Action No.: 07-CV-8765 (PAC) |
|  | : |                                    |
| Plaintiff,   | : |                                    |
|  | : |                                    |
| -against-  | : |                                    |
|  | : |                                    |
| THE BANK OF NEW YORK and THE BANK<br>OF NEW YORK MELLON CORPORATION,       | : |                                    |
|  | : |                                    |
| Defendants.  | : |                                    |

**NOTICE OF APPEARANCE**

TO: The Clerk of Court and All Parties of Record:

PLEASE ENTER MY APPEARANCE as counsel in this case for Shira McKinlay. I  
certify that I am admitted to practice in this court.

Dated: December 11, 2007

*/s/ Matthew Gluck*

**MILBERG WEISS LLP**  
Matthew Gluck (MG-4148)  
One Pennsylvania Plaza  
New York, New York 10119  
Telephone: (212) 594-5300  
Facsimile: (212) 868-1229

*Counsel for Plaintiff Shira McKinlay*

**CERTIFICATE OF SERVICE**

I hereby certify that the following statements are true and correct under penalty of perjury, pursuant to 28 U.S.C. § 1746:

On December 11, 2007, I caused to be served a true and correct copy and/or true and correct copies of Notice of Appearance of Neil Fraser, upon the following party and/or attorney at the last known address indicated below:

|             |   |
|-------------|---|
| Name:       | Hector Gonzalez<br>Matthew D. Ingber<br>Michael O. Ware |
| Company:    | <u>Mayer Brown LLP</u>                                  |
| Address:    | <u>1675 Broadway</u>                                    |
| City/State: | <u>New York, New York 10019</u>                         |
| Telephone:  | <u>(212) 506-2500</u>                                   |

by U.S. mail in accordance with Rule 5 of the Federal Rules of Civil Procedure.

Dated: December 11, 2007



Neil Fraser  
Milberg Weiss LLP  
One Pennsylvania Plaza  
New York, NY 10119  
Telephone: (212) 594-5300